

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BEVERLY ACTON,

Plaintiff,

v.

Case No. 13-14249

COMMISSIONER OF SOCIAL  
SECURITY,

HON. TERRENCE G. BERG  
HON. PATRICIA T. MORRIS

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION (DKT. 15)**

This matter is before the Court on Magistrate Judge Patricia T. Morris's October 31, 2014 Report and Recommendation (Dkt. 15), recommending that Plaintiff's motion for summary judgment be GRANTED, that Defendant's motion for summary judgment be DENIED, and that this case be remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will,

therefore, accept the Magistrate's Report and Recommendation of October 31, 2014, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Morris's Report and Recommendation of October 31, 2014 (Dkt. 15) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Plaintiff's motion for summary judgment (Dkt. 11) is **GRANTED**, Defendant's motion for summary judgment (Dkt. 13) is **DENIED**, and that this case is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings.

**SO ORDERED.**

Dated: December 1, 2014

s/Terrence G. Berg  
TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE

### **Certificate of Service**

I hereby certify that this Order was electronically submitted on December 1, 2014, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb  
Case Manager